

Sneed, Marc

From: Valerie Bateman <valerie@newsouthlawfirm.com>
Sent: Sunday, November 19, 2023 11:33 PM
To: Scruggs, Mary; Sneed, Marc
Cc: June Allison
Subject: Re: Talley v. Folwell et al. -Consent Protective Order; Meet and confer

I have no issue complying with rule.

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From: Scruggs, Mary <mscruggs@NCDOJ.GOV>
Sent: Monday, November 13, 2023 9:12:01 AM
To: Valerie Bateman <valerie@newsouthlawfirm.com>; Sneed, Marc <MSNEED@ncdoj.gov>
Cc: June Allison <june@newsouthlawfirm.com>
Subject: RE: Talley v. Folwell et al. -Consent Protective Order; Meet and confer

Valerie,

No one is asking you to file a motion to seal documents that any of my clients designate as confidential. However, filing does need to be in accord with the Local Rules and the Electronic Case Filing Administrative Policies and Procedures Manual of the EDNC. <https://www.nced.uscourts.gov/pdfs/cmecfPolicyManual.pdf>

Section G(1)(e):

In the event that a filing party seeks to file material that has been designated confidential by another party or entity, the filing party must provisionally file the material under seal in accordance with this section and Local Civil Rule 79.2 and Local Criminal Rule 55.2, with notice served on the party or entity who desires to maintain the material under seal.

- (i) In lieu of filing a motion to seal, the filing party is required to file a notice of filing pursuant to this subsection. The notice of filing should be docketed after the filing of the provisionally sealed material and linked back to the entry or entries being filed under seal.
- (ii) (ii) Within 7 days after service of such notice, the party or entity desiring that the material be maintained under seal must file a motion to seal, supporting memorandum and proposed order in accordance with Section V.G.1 of the Policy Manual.
- (iii) Documents submitted under seal in accordance with this subsection will remain under seal pending the court's ruling on the motion to seal. If no motion to seal is filed, the material may be unsealed and made public by the clerk's office without further notice or order of the court.

Can you help me understand your objection to complying with the rule?

Mary W. Scruggs
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